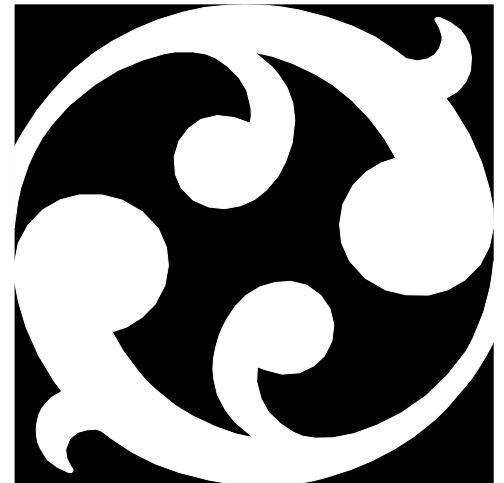


Governance Overview

- Regulations Changes
- WIA Readiness Issues
- Practitioner's Panel

Paul Clancy, Boston PIC
Diane Hurley, Grtr. New Bedford WIB
Bill Ward, Hampden County WIB



Sunshine Provisions

New 661.207 & 661.307

- Made Openness requirements free-standing for State and Local boards
- Broadened open meeting coverage to include development of:
 - ▶ Significant policies
 - ▶ Interpretations
 - ▶ Guidelines
 - ▶ Definitions

Multiple Entity Representation

New paragraphs to 661.200 and 661.315

- Board members may represent more than one partnership entity as long as all requirements met
 - Must be individuals with optimum policy making authority within the entities they represent
-

Defines Authority and Expertise

New 661.203

- **Optimum Policy Authority:** Board member who can reasonably be expected to speak affirmatively for entity and commit it to course of actions.
 - **Program Expertise:** means an official with a One-stop partner or a person with documented expertise in the One-stop partner program.
-

Multiple Program Partners in Area

New §661.317

- CEO may appoint one or more to represent all partner program entities
 - CEO may solicit nominations from partner program entities
-

SWIB Representation of VR Program

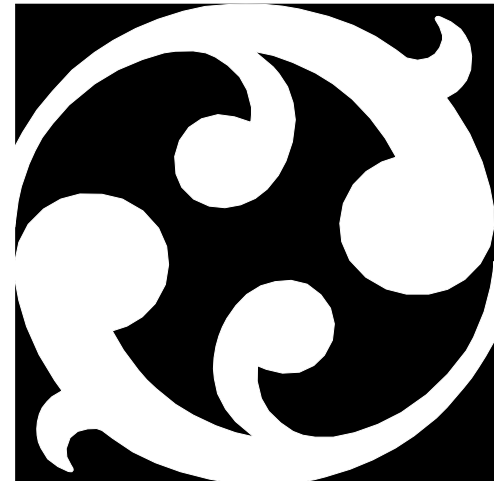
New ¶ added to §661.200(i)

- If director(s) of designated State unit as defined in 7(8)(B) of the Rehabilitation Act do not represent the state VR Program on the Board, State Plan must:
 - ▶ Describe how the SWIB member will effectively represent VR interests, needs, priorities, and
 - ▶ How employment needs of individuals with disabilities will be addressed
-

Definition of Labor Federation

¶ 660.300

- An alliance of two or more organized labor unions for the purpose of mutual support and action
-



Significant Change in Alternative Entity

New language in ¶ 661.210(e) & 330(c)

- YES: Members added to represent groups not previously represented
- YES: Change in organization that requires change in entity's foundation document (whether done or not)
- NO:
 - ▶ Added members to existing category
 - ▶ Non-voting members added
 - ▶ Filling vacancy in existing category

Unrepresented Membership Groups

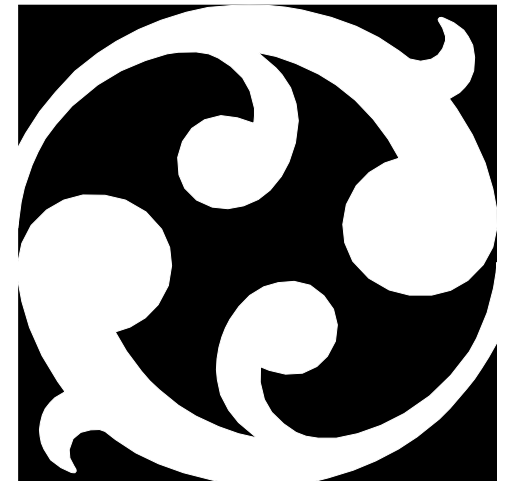
New language in § 661.210(c) & ¶ in 330(b)

- Alternative entities may provide ongoing role by
 - ▶ Regularly scheduled consultations
 - ▶ Input opportunity in Plan or policy development
 - ▶ Establishing advisory committee
-

Training Services Waiver

§661.310(b)

- Clarifying language added to indicate that waivers may be renewed more than once and each waiver may last no more than a year
-



Restrictions on Service Provision

§661.310(c)

- Preamble at 49304 clarifies that limitations apply to the LWIB as an entity and not to individuals:
 - ▶ Board member who is also an employee of a service provider may deliver services in second capacity.
 - ▶ Staff of the LWIB may also be employees of the entity administering the WIA grant
- Must satisfy conflict of interest requirements and have clear role distinctions

Parents: Mandated Youth Council Members

WIA Section 117(h)(iv) & §661.335(b)(4)

- Preamble interprets “Parents of eligible youth seeking assistance ...” to mean that the representative for this category must come from families who currently experience barriers or who have faced them in the past
 - Barriers refers to basic and 5% eligibility factors
-

Transitional Approval of Local Plan

§661.350(d)

- Governors in PY 2000 may approve local plans which do not contain all required elements on a transitional basis.
 - A transitional approval is considered a written determination and is not approved under ¶ (d)
-

Miscellaneous

- Adds ¶ 3 to §661.220: Plans with incomplete or insufficient information will be considered inconsistent with planning requirements
 - Added language at §661.260 clarifies Governor's right to choose data source used in automatic designation of local government units with 500,000 or more population
-

WIA Readiness Overview

Substantially Implemented Governance Elements

■ State Readiness

- ▶ State Boards appointed & operational
- ▶ Local Areas designated
- ▶ Allocations issued
- ▶ Local Plans approved

■ Local Readiness

- ▶ Local Boards appointed & operational
- ▶ Plans approved & programs in place
- ▶ Youth Councils appointed and operational

State Board Appointed and Operational

I.A.- General Requirements

- Board has met once
 - Conflict of interest provisions in place consistent with WIA section 111(f)
 - Board conducts business in open manner (WIA 111(g) and §621.207)
-

NEW State Boards

I.A - Specific Requirements

- Category representation & numbers consistent with WIA section 111 & §661.200
 - Includes
 - ▶ Nominating procedure
 - ▶ Optimum policy-making authority
 - ▶ Representation of diverse regions
-

Alternative Entites

I.A. - Specific Requirements

- In existence before 12/31/97
 - Established under section 122 of JTPA or found substantially similar by Governor
 - Has at least two business and two labor representatives
 - Unrepresented membership groups are provided an ongoing role in the workforce investment system
-

Local Areas and Allocations

I.B. & I.C

- **Local Area** designated according to law and an appeal system in place
 - ▶ If appeals, resolved according to WIA section 116(a)(5)
- **Local Allocations**
 - ▶ Which formulas are used
 - ▶ State Board involved in developing governor's discretionary formula
 - ▶ System allocates locally
 - 85% of adults and youth funds
 - 60% of dislocated worker funds

Local Readiness

II.A - Local Boards

- Does the LWIB have
 - ▶ Business majority
 - ▶ 2 members from education, labor, CBOs, economic development
 - ▶ Required One-stop partners as members
 - ▶ Members with optimum policy/hiring authority
 - ▶ Peer nomination process used as appropriate
- If grandfathered, what is the ongoing role of unrepresented membership groups
- If multijurisdictional, is there a CEO liability agreement

Local Board Readiness Requirements

Continued

- CEO designated a grant recipient/fiscal agent
 - Board met at least once
 - ▶ If after plan submission to State, Board has acted to approve or modify the plan
 - Meetings open to public and announced in advance
 - Provisions for avoiding conflict of interest in place
-

More Board Readiness Requirements

II.B.

- Has the Board been certified by the State
 - Board or staff provide core or intensive services, or is it designated as One-stop operator
 - ▶ If so, is there a CEO/Governor agreement
 - Does the Board provide training services
 - ▶ If so, did the Governor approve a waiver request that in a process that meets WIA section 117(f)(1)
-

Local Plans & Activities In Place

II.B.

■ Plan Development

- ▶ Opportunity for public comment, including business and labor, of at least 30 days
- ▶ Board reviewed and considered comments
- ▶ Plan developed/approved by Board and CEO

■ Plan Implementation

- ▶ Adult & dislocated workers services available
 - If not, plans for full implementation
 - ▶ Coordination with Rapid Response
-

Youth Council Appointed & Operational

IV.C. - Youth Readiness

- Membership recruitment and selection process
 - Describe composition:
 - ▶ WIB members
 - ▶ Justice & law enforcement
 - ▶ Public Housing authority
 - ▶ Parents of youth seeking assistance
 - ▶ Individuals, including former P's, with youth activity experience
 - ▶ Job Corps, as appropriate
 - ▶ Other appropriate youth serving agencies
-

Youth Council Appointed & Operational

Continued

- Criteria for nominations and membership
 - ▶ If alternative agency, consistent with WIA Section 117(i)
- Youth Council met at least once
- Youth Council role in
 - ▶ Local youth plan development
 - ▶ Youth provider recommendations
 - ▶ Coordination of youth activities
 - ▶ Oversight of youth activities

